FATENT COOPERATION TREA LY

	From the INTERNATIONAL BUREAU
PCT	То:
NOTIFICATION OF ELECTION (PCT Rule 61.2)	United States Patent and Trademark Office (Box PCT) Crystal Plaza 2 Washington, DC 20231 ETATS-UNIS D'AMERIQUE
Date of mailing (day/month/year) 14 May 1998 (14.05.98)	in its capacity as elected Office
International application No. PCT/JP97/03816	Applicant's or agent's file reference P96-675
International filing date (day/month/year) 22 October 1997 (22.10.97)	Priority date (day/month/year) 23 October 1996 (23.10.96)
Applicant	
TANAKA, Masahito et al	
The designated Office is hereby notified of its election made in the demand filed with the International Preliminary 14 April 1998 (in a notice effecting later election filed with the International Preliminary 14 April 1998 (was in a notice effecting later election filed with the International Preliminary was not was not made before the expiration of 19 months from the priority of Rule 32.2(b).	r Examining Authority on: (14.04.98) national Bureau on:
	Authorized officer

Form PCT/IB/331 (July 1992)

Facsimile No.: (41-22) 740.14.35

The International Bureau of WIPO 34, chemin des Colombettes

1211 Geneva 20, Switzerland

K. Takeda

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREAT

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REC'D	2	8	SEP	1998
WIPO				PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

	,	/ (PCT Article 36 ar	nd Rule 70))		
Applicant's or ager	nt's file reference	FOR FURTHER ACTI		e Notification of Transmittal of International liminary Examination Report (PCT/IPEA/416)		
International applic	ation No.	International filing date (day/mo	nth/year)	Priority date (day/month/year)		
PCT/JP97/038	16	22/10/1997		23/10/1996		
International Pater	t Classification (IPC) or n	ational classification and IPC				
A61F13/15		•				
Applicant						
KAO CORPOR	RATION et al.					
1. This interna	tional preliminary exan	nination report has been prepa	ared by this In	nternational Preliminary Examining Authority		
and is trans	mitted to the applicant	according to Article 36.				
	DT	f $^{\it H}$ sheets, including this cov	or choot			
2. This REPOI	HI consists of a total o	T Sheets, including this cov	er Sileet.			
☐ This re	port is also accompani	ied by ANNEXES, i.e., sheets	of the descrip	otion, claims and/or drawings		
which !	have been amended a	nd are the basis for this report	and/or sheet	ts containing rectifications made ive Instructions under the PCT).		
Delote	this Authority (see Aut	e 70.10 and Decilon 507 of the	5 / t <u>G</u>	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
These anne	exes consist of a total of	of sheets.				
3. This report	contains indications re	lating to the following items:				
⊠	Basis of the report			·		
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		of opinion with regard to nove	ty, inventive :	step and industrial applicability		
l IV 🗆						
V 🛭			ard to novelty,	, inventive step or industrial applicability;		
, –	citations and explar	nations supporting such statem	nent			
VI 🗆	Certain documents	cited				
VII 🗆	Certain defects in th	ne international application				
VIII ⊠	Certain observation	s on the international applicat	ion			
	· · ·					
·						
Date of submission	on of the demand	Da	te of completion	•		
			24.	09. 98		
14/04/1998			*			
Name and mailin	g address of the IPEA/	Au	thorized officer	and s		
				Section of the sectio		
	ropean Patent Office	Δ.	ıer, H	(a) Policy		
	·80298 Munich al. (+49-89) 2399-0, Tx: 52	3656 epmu d		Taga di Santa di Sant		
_	ax (+49-89) 2399-4465		lephone No. (+4	49-89) 2399-2054		

Fax: (+49-89) 2399-4465

International application No. PCT/JP97/03816

1. This report has been drawn on the basis of (substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

	the	report since they o	do not contain amendments.):
	Des	cription, pages:	
	1-25	5	as originally filed
	Clai	ims, No.:	
	1-20)	as originally filed
-	Dra	wings, sheets:	
	1/7-	7/7	as originally filed
2.	The	amendments hav	re resulted in the cancellation of:
		the description,	pages:
		the claims,	Nos.:
		the drawings,	sheets:
3.		This report has b considered to go	een established as if (some of) the amendments had not been made, since they have been beyond the disclosure as filed (Rule 70.2(c)):
4.	Add	ditional observation	ns, if necessary:

International application No. PCT/JP97/03816

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N).

Yes:

Claims

No:

Claims 1,19,20

Inventive step (IS)

Yes:

Claims

No:

Claims 2-18

Industrial applicability (IA)

Yes:

Claims 1-20

No: Claims

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

International application No. PCT/JP97/03816

The examination is being carried out on the documents as originally filed.

US-A-3 736 931, see in particular figures 1,9,10 and claims, discloses already an 1. absorbent article with a top layer, a back layer and a liquid absorbent member therebetween such as claimed in claim 1.

Thus, since all features of claim 1 are known from one document the subjectmatter of claim 1 is not novel.

Also documents EP-A-0 219 326, EP-A-0 558 889, US-A-4 029 101 and CA-A-2 121 512 seen to be relevant in this sense.

- Dependent claims 2-18 contain features of well known absorbent articles (see 2. documents cited above) the function of which would be regarded by the skilled man as a normal optional possibility. Claims 2-18 are not in line with Article 33(3) PCT (inventive step).
- Claims 19 and 20 contain in substance only repetitions of claim 1 and are for the 3.
- The independent claims are not properly cast in a two part form, with those 4. features which in combination are part of the prior art being placed in the first part.
- Throughout the claims reference signs are not used in parentheses. 5.

reasons set out under point 1 not novel.

The documents cited above are not identified in the description and the relevant 6. background art disclosed therein is not discussed.



PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P96-675		of Transmittal of International Search Report (20) as well as, where applicable, item 5 below.
nternational application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
PCT/JP 97/03816 V	22/10/1997	23/10/1996
pplicant		
(AO CORPORATION et al.		
This International Search Report has bee according to Article 18. A copy is being tr	en prepared by this International Searching Aut ansmitted to the International Bureau.	hority and is transmitted to the applicant
This International Search Report consists X It is also accompanied by a cor	s of a total of Sheets. by of each prior art document cited in this report	
Certain claims were found ur	nsearchable(see Box I).	
2. Unity of invention is lacking(see Box II).	
	ontains disclosure of a nucleotide and/or amin d out on the basis of the sequence listing	o acid sequence listing and the
	d with the international application.	
	nished by the applicant separately from the inte	rnational application,
	but not accompanied by a statement to the matter going beyond the disclosure in the	ne effect that it did not include
Tra	enscribed by this Authority	
4. With regard to the title, X the	text is approved as submitted by the applicant	
=	text has been established by this Authority to r	
5. With regard to the abstract,		
X the	text is approved as submitted by the applicant	
Bo:	text has been established, according to Rule 3 x III. The applicant may, within one month from arch Report, submit comments to this Authority	the date of mailing of this International
C. The Same of the description to be suite	liabout with the obstract is:	
6. The figure of the drawings to be published.	suggested by the apstract is:	None of the figures.
· — — — —	suggested by the applicant. cause the applicant failed to suggest a figure.	Notice of the lightest
	cause this figure better characterizes the invent	ion.



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

	/ (FCT Afficie 30 a	ind hale 70)				
Applicant's or agent's file reference P96-675	FOR FURTHER AC	See Notification of Transmittal of International Preliminary Examination Report (PCT/IPEA/416)				
International application No.	International filing date (day/m	nonth/year) Priority date (day/month/year)				
PCT/JP97/03816	22/10/1997	23/10/1996				
International Patent Classification (IPC)	or national classification and IPC					
A61F13/15						
		•				
	•					
Applicant						
KAO CORPORATION et al.						
This international preliminary examples and is transmitted to the application.	camination report has been prepart according to Article 36.	pared by this International Preliminary Examining Authority				
2. This REPORT consists of a total	al of $ otin $ sheets, including this co	ver sheet.				
which have been amended	d and are the basis for this repo	s of the description, claims and/or drawings of the description, claims and/or sheets containing rectifications made the Administrative Instructions under the PCT).				
These annexes consist of a total	al of sheets.					
3. This report contains indications						
I ⊠ Basis of the repo	rt					
II Priority	ant of animina with regard to povolty, inventive step and industrial applicability					
	-					
V ⊠ Reasoned staten citations and exp	nent under Article 35(2) with reg lanations supporting such state	gard to novelty, inventive step or industrial applicability; ement				
VI 🗌 Certain documer	ments cited					
VII 🔲 Certain defects i	VII Certain defects in the international application					
VIII ⊠ Certain observat	ions on the international applica	ition				
Date of submission of the demand	D	ate of completion of this report				
14/04/1998		2 4. 09. 98				
Name and mailing address of the IPEA/	A	uthorized officer				
European Patent Office						
D-80298 Munich		uer, H				
Tel. (+49-89) 2399-0, Tx: 523656 epmu d Telephone No. (+49-89) 2399-2054						

International application No. PCT/JP97/03816

I. Basis of the report

1. This report has been drawn on the basis of (substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.): Description, pages: as originally filed 1-25 Claims, No.: as originally filed 1-20 Drawings, sheets: as originally filed 1/7-7/7 2. The amendments have resulted in the cancellation of: pages: ☐ the description, the claims, Nos.: sheets: the drawings, 3.
This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

International application No. PCT/JP97/03816

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes:

Claims

No:

Claims 1,19,20

Inventive step (IS)

Yes: Claims

No: Cla

Claims 2-18

Industrial applicability (IA)

Yes:

Claims 1-20

No: Claims

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

INTERNATIONAL PRELIMINARY International application No. PCT/JP97/03816 EXAMINATION REPORT - SEPARATE SHEET

The examination is being carried out on the documents as originally filed.

- 1. US-A-3 736 931, see in particular figures 1,9,10 and claims, discloses already an absorbent article with a top layer, a back layer and a liquid absorbent member therebetween such as claimed in claim 1.
 - Thus, since all features of claim 1 are known from one document the subjectmatter of claim 1 is not novel.
 - Also documents EP-A-0 219 326, EP-A-0 558 889, US-A-4 029 101 and CA-A-2 121 512 seen to be relevant in this sense.
- 2. Dependent claims 2-18 contain features of well known absorbent articles (see documents cited above) the function of which would be regarded by the skilled man as a normal optional possibility.
 - Claims 2-18 are not in line with Article 33(3) PCT (inventive step).
- Claims 19 and 20 contain in substance only repetitions of claim 1 and are for the reasons set out under point 1 not novel.
- 4. The independent claims are not properly cast in a two part form, with those features which in combination are part of the prior art being placed in the first part.
- 5. Throughout the claims reference signs are not used in parentheses.
- 6. The documents cited above are not identified in the description and the relevant background art disclosed therein is not discussed.

PCT

REQUEST

- For receiving Office use only -International Application No. International Filing Date

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.	Name of receiving Office and "PCT International Application"				
	Applicant's or agent's file reference (if desired) (12 characters maximum) P96-675				
Box No. I TITLE OF INVENTION	· · · · · · · · · · · · · · · · · · ·				
ABSORBENT ARTICLE	-				
Box No. II APPLICANT					
Name and address: (Family name followed by given name; for a legal er The address must include postal code and name of country. The country of Box is the applicant's State (i.e. country) of residence if no State of reside	ntity, full official designation. f the address indicated in this nce is indicated below.)	This person is also inventor.			
Kao Corporation		Telephone No.			
14-10, Nihonbashi Kayaba-cho 1-	-chome,				
Chuo-ku, TOKYO 103 JAPAN		Facsimile No.			
		Teleprinter No.			
State (i.e. country) of nationality: JAPAN	State (i.e. country) of re	esidence: JAPAN			
This person is applicant all designated for the purposes of: all designated		United States the States indicated in the Supplemental Box			
Box No. III FURTHER APPLICANT(S) AND/OR (FURT	HER) INVENTOR(S)				
Name and address: (Family name followed by given name; for a legal en The address must include postal code and name of country. The country of Box is the applicant's State (i.e. country) of residence if no State of residen	• .	This person is:			
c/o Kao Corporation, Research Laboratories,					
2606; Akabane, Ichikai-machi, H	laga-gun,	inventor only (If this check-box			
TOCHIGI 321-34 JAPAN		is marked, do not fill in below.)			
State (i.e. country) of nationality: JAPAN	State (i.e. country) of re	sidence: JAPAN			
This person is applicant all designated all designate for the purposes of:		United States the States indicated in the Supplemental Box			
V Further applicants and/or (further) inventors are indicated of	on a continuation sheet.				
Box No. IV AGENT OR COMMON REPRESENTATIVE	; OR ADDRESS FOR C	ORRESPONDENCE			
The person identified below is hereby/has been appointed to act of the applicant(s) before the competent International Authorities	on behalf V as:	gent common representative			
Name and address: (Family name followed by given name: for a legal e The address must include postal code and name o	ntity, full official designation. f country.)	Telephone No.			
7653 Patent Attorney HATORI Os	•	03 (5570) 1241			
10129 Patent Attorney MATSUSHIM	A Yoshiyuki	Facsimile No. 1244			
AKASAKA HKN BLDG. 6F, 8-6, Akasa	ka 1-chome,	03 (5570) 1244			
Minato-ku, TOKYO 107 JAPAN		Teleprinter No.			
Mark this check-box where no agent or common representation indicate a special address to which correspondence should be	ive is/has been appointed e sent.				
Form PCT/RO/101 (first sheet) (January 1997)		San Maria da aba assurat form			

Sheet No.

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS				
If none of the following sub-boxes is used, t	his sheet is not to be incli	uded in the request.		
Name and address: (Family name followed by given name: for a legal ent The address must include postal code and name of country. The country of the Box is the applicant's State (i.e. country) of residence if no State of residence is no State of residence. KIMURA Mayumi C/O Kao Corporation, Research Lall 2606, Akabane, Ichikai-machi, Had TOCHIGI 321-34 JAPAN State (i.e. country) of nationality: JAPAN This person is applicant all designated the United State of the purposes of: Name and address: (Family name followed by given name: for a legal ent The address must include postal code and name of country. The country of the Box is the applicant's State (i.e. country) of residence if no State of residence.	State (i.e. country) of restricts of America	This person is: applicant only V applicant and inventor inventor only (If this check-box is marked, do not fill in below.) sidence: JAPAN United States America only the States indicated in the Supplemental Box This person is:		
NAKAYAMA Takao	:	applicant only		
c/o Kao Corporation, Research La 2606, Akabane, Ichikai-machi, Ha TOCHIGI 321-34 JAPAN		applicant and inventor inventor only (If this check-bax is marked, do not fill in below.)		
State (i.e. country) of nationality:	State (i.e. country) of re	sidence:		
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This person is applicant all designated for the purposes of:	States except the tes of America V of A	United States the States indicated in the Supplemental Box		
Name and address: (Family name followed by given name: for a legal ent The address must include postal code and name of country. The country of Box is the applicant's State (i.e. country) of residence if no State of residence of the AMAJIMA Mitsugu c/o Kao Corporation, Research La 2606, Akabane, Ichikai-machi, Ha TOCHIGI 321-34 JAPAN	aboratories,	This person is: applicant only y applicant and inventor inventor only (If this check-box is marked, do not fill in below.)		
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		e United States the States indicated in the Supplemental Box		
Name and address: (Family name followed by given name; for a legal entithe address must include postal code and name of country. The country of Box is the applicant's State (i.e. country) of residence if no State of residence NAKANISHI Minoru c/o Kao Corporation, Research La 2606, Akabane, Ichikai-machi, Ha TOCHIGI 321-34 JAPAN	the address indicated in this ce is indicated below.) Aboratories,	This person is: applicant only papplicant and inventor inventor only (If this check-box is marked, do not fill in below.)		
State (i.e. country) of nationality:	State (i.e. country) of re-	sidence:		
JAPAN		JAPAN		
This person is applicant all designated for the purposes of:		the States indicated in the Supplemental Box		

Box N	o.V	DESIGNATION OF STATES						
The fo	The following designations are hereby made under Rule 4.9(a) (mark the applicable check-boxes; at least one must be marked):							
Regional Patent								
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U	AF	is a Contracting State of the Harare Protocol and of the	ne PC	T	n, SZ Swaziland, UG Uganda, and any other State which			
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		Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT						
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		ES Spain, FI Finland, FR France, GB United Kingdor	n, GI	R Gree	ece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco			
}		NL Netherlands, PT Portugal, SE Sweden, and any Convention and of the PCT	othe	r Stat	e which is a Contracting State of the European Patent			
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		GA Gabon, GN Guinea, ML Mali, MR Mauritania,	NE 1	Viger.	SN Senegal, TD Chad, TG Topo, and any other State			
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		Saint Lucia	a na	itional	patent) which have become party to the PCT after			
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l Iu a	aaitio	n to the designations made above, the applicant also	make	s und	er Rule 4.9(b) all designations which would be permitted			

In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of

The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.)

Sheet No. ...4...

Box No. VI PRIORITY CI	AIM	Fur	ther priority cl	aims are indicated in	the Supple	mental Box		
The priority of the following ea	rlier application(s) is	hereby claimed	:					
Country (in which, or for which, the application was filed)	Filing D (day/month		Арр	lication No.	l (oniv	ffice of filing for regional or ional application)		
item (1)			Patent	Application	1			
JP	23.10.96		No. 8-2	81119				
item (2)								
item (3)								
Mark the following check-box if the application is the receiving Office (a The receiving Office is h Bureau a certified copy of	fee may be required):				poses of the	present international		
				s): (1)				
Box No. VII INTERNATIO	NAL SEARCHING	AUTHORITY	<u></u>					
Choice of International Sear are competent to carry out the inter	ching Authority (IS mational search, indicat	SA) (If two or mo te the Authority cho	re International osen; the two-lett	Searching Authorities er code may be used);	ISA 🕮	EP		
Earlier search Fill in where a se out or requested and the Authority is such search or request either by rej Country (or regional Office):	s now requested to base	the international . application (or the	search, to the ext	tent possible, on the resu	lts of that ec	arlier search. Identify		
Box No. VIII CHECK LIST								
This international application the following number of she				accompanied by the i		1		
	sheets	1. V power of attorney						
2. description : 25	sheets 2	sheets 2. copy of general 6. separate indications concerning deposited microorganisms						
3. claims : 5	sheets		•	-		or amino acid		
4. abstract : 1	. /	lack of	nt explaining signature	7. seque	nce listing	(diskette)		
5. drawings : 7		' identifie	document(s)	VI 8. ▼ other	(specify):	TRANSMITTAL		
	Total: 42 sheets as item(s): REQUEST FOR TRANSMITTAL OF PRIORITY DOCUMENT. Figure No. 2 of the drawings (if any) should accompany the abstract when it is published.							
			y the abstract v	when it is published.	744	· _ ·		
Box No. IX SIGNATURE Next to each signature, indicate the ne	OF APPLICANT (aubiah aha arasa	sing GC mak apparity is	not obvious	from mading the cornect)		
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HATORI	Osamu			MATSUSHIM	A Yosh	niyuki		
		For receiving	Office use only	/	·····			
Date of actual receipt of the international application:			•		İ	2. Drawings:		
Corrected date of actual retimely received papers or the purported international	lrawings completing					received:		
4. Date of timely receipt of the corrections under PCT Art	ie required icle 11(2):					not received:		
5. International Searching Au specified by the applicant:	• •	6.	Transm until se	nittal of search copy dearch fee is paid	elayed			
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by the International Bureau:	••							

A. CLASSIFICATION OF SUBJECT MATTER IPC 6 A61F13/15

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Х	US 3 736 931 A (GLASSMAN J) 5 June 1973 see column 3, line 29 - line 31; claims; figures 1,9,10	1,12,19
Х	EP 0 219 326 A (PROCTER & GAMBLE) 22 April 1987 see page 11, line 1 - line 9; claims 1-10; figure 6	1,2,8
Α	see page 23, line 34 - page 24, line 7	3
X	EP 0 558 889 A (MOELNLYCKE AB) 8 September 1993 see page 3, line 46 - line 58; figures 3,4	1,8-11
X	US 4 029 101 A (CHESKY SHELDON R ET AL) 14 June 1977 see claims; figures 3-5,7,8	1,12,18
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Further documents are listed in the continuation of box C.	Patent family members are listed in annex.
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23 February 1998	09/03/1998
Name and mailing address of the ISA	Authorized officer
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